

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

SKYLINE SOFTWARE SYSTEMS, INC.,

Plaintiff,

v.

KEYHOLE, INC., and  
GOOGLE INC.

Defendants.

CIVIL ACTION NO. 04-11129 DPW

**[PROPOSED]**

**DEFENDANT'S STATEMENT OF RECENT DECISION  
REGARDING CLAIM CONSTRUCTION**

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Defendants Keyhole, Inc. and Google Inc. submit for the Court’s consideration the following decision relevant to the issue of claim construction:

- *Phillips v. AWH Corp.*, No. 13-1269, -1286, (Fed. Cir. July 12, 2005) (en banc) (attached as Exhibit A).

This opinion was issued after the completion of briefing and after the claim construction hearing. This decision lends further support to Defendants' Responsive Claim Construction Brief, filed March 25, 2005, and Defendants' Surreply Brief Regarding Claim Construction (Leave to File Granted), filed May 5, 2005.

Dated: July 12, 2005

Respectfully submitted,

By: /s/ Darryl M. Woo  
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